

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
Plaintiff
vs
BENERADO MERCADO-RIVERA
Defendant

CRIMINAL 14-0311CCC

ORDER

Having considered the Report and Recommendation filed on September 12, 2014 (**docket entry 27**) on a Rule 11 proceeding of defendant Benerado Mercado-Rivera before U.S. Magistrate-Judge Silvia Carreño-Coll on September 11, 2014, to which no objection has been filed, the same is APPROVED. Accordingly, the plea of guilty of defendant is accepted. The Court FINDS that his plea was voluntary and intelligently entered with awareness of his rights and the consequences of pleading guilty and contains all elements of the offense charged in the indictment. Defendant is advised, however, that the Court will defer its decision on whether to accept or reject the parties' Fed. R. Crim. P. 11(c)(1)(C) plea agreement until it has reviewed the Pre-Sentence Report.

This case was referred to the U.S. Probation Office for preparation of a Presentence Investigation Report since September 11, 2014. The **sentencing hearing is set for December 11, 2014 at 4:30 PM.**

The U.S. Probation Officer is reminded that, should any objections be raised by defendant to the PreSentence Report, the Addendum to said PreSentence Report must specifically identify any unresolved objections, the

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grounds for the objections, and the U.S. Probation Officer's comments on them, as required by Fed. R. Crim. P. 32(g). The party that raised the unresolved objections shall, **within twenty-four (24) hours** after the Addendum is disclosed, state in writing whether it will insist that the unresolved objections be ruled upon by the Court. Failure to do so will be deemed by the Court as a withdrawal of the unresolved objections.

SO ORDERED.

At San Juan, Puerto Rico, on September 30, 2014.

S/CARMEN CONSUELO CEREZO
United States District Judge